

## **Cherwell District Council**

### **Executive**

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 3 August 2009 at 6.30 pm

Present: Councillor Barry Wood (Chairman)

Councillor G A Reynolds  
Councillor Ken Attack  
Councillor Norman Bolster  
Councillor Michael Gibbard  
Councillor James Macnamara  
Councillor Kieron Mallon  
Councillor D M Pickford  
Councillor Nicholas Turner

Apologies  
for  
absence: Councillor Nigel Morris

Officers: Mary Harpley, Chief Executive and Head of Paid Service  
Ian Davies, Strategic Director - Environment and Community  
Julie Evans, Strategic Director - Customer Service & Resources  
John Hoad, Strategic Director - Planning, Housing and Economy  
Liz Howlett, Head of Legal & Democratic Services and Monitoring Officer  
Jo Smith, Communications Manager  
Karen Curtin, Head of Finance  
Gillian Greaves, Head of Housing Services  
Grahame Helm, Head of Safer Communities & Community Development  
Ed Potter, Head of Environmental Services  
Claire Taylor, Community Planning Manager  
David Peckford, Senior Planning Officer  
James Doble, Democratic, Scrutiny and Elections Manager

#### **25 Declarations of Interest**

There were no declarations of interest.

#### **26 Petitions and Requests to Address the Meeting**

There were no petitions and requests to address the meeting.

27 **Urgent Business**

There was no urgent business.

28 **Minutes**

The minutes of the meeting held on 6 July 2009 were agreed and signed by the Chairman, including the exempt minutes of the meeting held on 6 July 2009 which were tabled.

29 **Planning for Swine Flu Pandemic**

The Head of Legal and Democratic Services, Head of Human Resources and Head of Safer Communities & Community Development, submitted a report to inform the Executive of the current situation and seek approval for proposed actions in the event of significant levels of illness.

**Resolved**

- 1) That it be noted that the government may consider extending self certification from 7 days to 14 days and that a signed medical certificate would not be required.
- 2) That the ICT contingency reserve be utilised to fund expenditure of £15 000 to upgrade the IT infrastructure and ensure that home working is available to all who need it.
- 3) That agreement be given to providing mutual aid and assistance to the PCT as requested which would include making available the locations noted in the report as antiviral distribution centres and redeploying staff if requested provided those staff have the same level of protection as NHS staff. That mutual aid be made available to neighbouring local authorities subject to local circumstances and availability, provided that neither compromise our ability to provide essential services.
- 4) That the trigger for activating the Council's Pandemic Flu Plan would be when the first case is reported in a current employee. That the Cherwell District Council Decision Making contingency Plan as set out in Annex 1 to the minutes (as set out in the minute book) be agreed.
- 5) That if necessary all Executive powers be delegated to an urgency committee made up of any three of the Executive which shall include the Leader or Deputy Leader of Council if possible.
- 6) That Council be recommend in the event of an ongoing emergency to establish an Emergency General Purpose Committee to make any

decisions the Council is able to make which are not part of the Executive functions or reserved in legislation to full Council. The composition of the Emergency General Purpose Committee would be the Leader of Council with any member of the Executive as substitute, the Deputy Leader with any member of the majority group as substitute and the Leader of the opposition, with any member of the opposition group as substitute.

**Reasons** - Council officers attended an emergency planning exercise at Newport Pagnell on 13<sup>th</sup> July to test the Thames Valley Local Resilience Forum's pandemic flu plan. All the district council representatives agreed we are likely to have a limited role in the wider community with the exception of Communications who can play a key part in issuing advice. It was also recognised that environmental health staff might be called upon to assist the PCT in "non-council" activities.

**Options**

<b>Option One</b>	Invoke the pandemic flu plan as and when the Corporate Management Team agree it is appropriate.
<b>Option Two</b>	Invoke the pandemic flu plan at the agreed trigger point of the first reported case amongst current employees.
<b>Option Three</b>	Do not invoke the pandemic flu plan.

30

**Planning for Gypsies, Travellers and Travelling Show People in the South East**

The Head of Planning and Affordable Housing Policy and the Head of Housing Services submitted a report to consider the Council's response to the next stage of regional consultation on the number and distribution of 'pitches' and 'plots' for Gypsies and Travellers and Travelling Showpeople.

**Resolved**

- 1) That no objections be raised to the South East England Partnership Board's recommendations to the Secretary of State for Communities and Local Government;
- 2) That the report as set out in the annex to the minutes (as set out in the minute book) be endorsed as the Council's formal response to the Secretary of State;
- 3) That the need for partnership working and key stakeholder involvement in preparing planning and housing policy for Gypsies, Travellers and Travelling Showpeople and in identifying suitable sites and appropriate means of site delivery be noted.

**Reasons** - The South East Plan is being partially reviewed to establish regional policy for meeting the accommodation needs of Gypsies, Travellers and Travelling Showpeople. On 4 March 2009 the former South East England Regional Assembly (SEERA) agreed its recommendations for the level and

distribution of additional 'pitches' for Gypsies and Travellers and 'plots' for Travelling Showpeople across the region.

**Options**

<b>Option One</b>	To raise no objection to the South East England Partnership Board's recommendations to the Secretary of State for Communities and Local Government
<b>Option Two</b>	To raise objection
<b>Option Three</b>	To raise no objection subject to comments

31 **Food Waste Recycling Service**

The Head of Environmental Services submitted a report to approve the policies and the delivery strategy of the food waste recycling service.

**Resolved**

That the policies set out for the food waste recycling scheme using the existing brown bin asset out in the annex to the minutes (as set out in the minute book) be approved.

That the changes in rollout strategy due to delays in the provision of the outlet be noted.

That the proposed rollout programme of food waste recycling from October 2009 be noted.

**Reasons** – The rollout of food waste recycling collections from October 2009 will raise the recycling rate to beyond 51% in 2009/10 & substantially beyond 55% in 2010/11.

**Options**

<b>Option One</b>	To start rolling out across the district food waste recycling collections from October 2009
<b>Option Two</b>	To roll out food waste recycling collections over a longer timescale

32 **Rural Affordable Housing and Improvement Plan Update**

The Head of Housing Services submitted a report to advise the Executive of the outcomes of the additional recommendations that Executive agreed as part of the initial consideration of an Improvement Plan to deal with the bringing forward of rural affordable housing on Rural Exception Sites.

Additionally, the Leader of the Council requested that the Portfolio Holder report progress to him every 3 months.

**Resolved**

- 1) That the outcomes of actions arising from each of the three additional resolutions made at the Executive meeting of 11 May 2009 following its consideration of the Rural Affordable Housing and Exception Sites be noted.
- 2) That a revised Rural Affordable Housing Improvement Plan that incorporates the research and activities undertaken following the additional actions agreed at the Executive meeting of May 2009 be endorsed.

**Reasons** - This decision develops the issues raised in the Executive report of 11 May 2009 covering rural affordable housing. The matter was subject to a full review by Overview and Scrutiny Committee following initial consideration by the Cherwell Parish Liaison meeting in November 2008. At the subsequent Parish Liaison meeting in June 2009, the Portfolio Holder for Planning and Housing reported back with the outcome of the Overview and Scrutiny Committee as agreed by Executive. The report received strong support from the Parish Liaison meeting, although the issues of effective communication and increased delivery were reaffirmed as instrumental to the successful implementation of the Improvement Plan.

**Options**

<b>Option One</b>	Endorse the revised action plan in Appendix A with increased attention to the items highlighted by Executive.
<b>Option Two</b>	The Council should work towards a more fundamental change in its rural housing partnership arrangements and implementation would be in 2011/12.

**Place Survey 2009 Results**

The Chief Executive and Community and Corporate Planning Manager submitted a report to present the results of the Place Survey. It includes some general analysis of the 18 national performance indicators and satisfaction measures that are collected through the Place Survey and reported on by Cherwell District Council.

**Resolved**

- 1) That the results of the 18 national indicators as measured by the Place Survey be noted.
- 2) That the results of the 4 national indicators that are included within the Oxfordshire Local Area Agreement be noted.
- 3) That the relevant officers be requested to take appropriate steps to address areas for development or improvement as identified.

**Reasons** – The Place Survey is required by the Department of Communities and Local Government as part of the performance framework for local authorities. We are required to undertake a survey every two years and the results inform 18 of the national set of performance indicators (NIs) that make up the Comprehensive Area Assessment.

## 34 **Performance Management Framework Quarter 1 Report**

The Chief Executive and Head of Improvement submitted a report that covered the Council's performance for the period April to June 2009 as measured through the Performance Management Framework

The Leader of the Council requested that Councillors Wood, Macnamara and Morris be provided with a monthly high level variance analysis of car parking income.

### **Resolved**

- 1) That the responses below to the issues raised in the 2008/09 Annual Performance Report be confirmed as satisfactory:

#### **Cherwell: A District of Opportunity**

- a. The ongoing impact of the economic recession on meeting targets for the provision of new homes and jobs, the rising demands on services such as Housing Benefits and Economic Development and the reduced income for Building Control, Development Control, and Land Charges.

**New Homes.** The first quarter of 2009/10 saw 215 (net) new dwellings provided of which 10 were change of use or conversions. This is against a target of 376 for the whole year. The completion of the 86 assisted living and frail elderly sheltered apartments on the former Spirit motors site on the Southam Road in Banbury was a significant contributor to this.

**Jobs.** The target for new jobs created will be met, but will be exceeded by the number lost. Unemployment is rising, but remains below the regional average. The Council's efforts are concentrated on helping individuals through job clubs and businesses through the enterprise service rather than encouraging inward investment where very few enquiries are being received.

**Income.** Building Control. As a result of the predicted downturn in development activity the 2009/10 income budget of £391,000 was set 16% lower than the 2008/09 budget of £465,000. The income to date this year is £110,000 against a profiled budget of £98,000, representing a surplus of 12% to date. Development Control income was £14,000 below forecast for the 1<sup>st</sup> Quarter. The income target for Land Charges in 2009/10 realistically reflects the current economic situation and so far is on target.

b. The progress of major regeneration and development schemes:

**Banbury Canalside.** The Council has retained consultants to prepare a draft supplementary planning document for public consultation in the autumn. Work is proceeding on this, supported by the Homes and Communities Agency.

**Bicester Town Centre.** Since acquiring the development company, Sainsbury's have reviewed the proposed scheme with a view to improving its financial viability. It is anticipated that the board of Sainsbury's will be invited to confirm their support for some amendments to the scheme in July, following which work on an amended planning application will commence.

**South West Bicester.** Work continues with regard to the applicants request to review the planning obligation requirements for the site. This is being jointly undertaken with the County Council.

c. Delays producing the Local Development Framework due to the pressure of work and strategic uncertainties resulting from the eco-town proposal.

There have been delays progressing the Core Strategy within the Local Development Framework for two reasons. Firstly, there has been some delay in completing the numerous pieces of technical work that make up the evidence base, some of which have been procured jointly with other services or other authorities. Good progress is being made on these and it is expected that the majority of it will be completed by September 2009. Secondly, it was not possible to progress the Core Strategy to the next stage in the absence of a clear strategic direction from the Government on the eco-town programme. The publication of the Government's position on Eco-towns in July 2009 will provide the certainty to enable the Core Strategy to proceed.

The LDF Advisory Panel has met every month since March to provide early member input to the Core Strategy and meetings are planned through the autumn. It is anticipated a document will be put to the Council for approval prior to further public consultation in the autumn.

d. The performance for processing new benefits claims and changes in circumstances.

The Housing benefit caseload continues to rise and currently stands at 8,400 claimants. Although the back log of benefit claims remains constant (2220 down to 1973 (or 2 weeks)) the amount of new claims waiting for assessment has dropped (from 475 to 323). The length in period of time taken to process claims has dropped from 8 weeks to 6 weeks.

The contract with Capita is ongoing. The ICT connection between Cherwell and Havant has been improved and we now have 3 remote workers. We also have an additional worker based at

Cherwell (capita employee) to help with the backlog. Another 3-5 Capita staff will be based at Cherwell shortly.

#### **A Cleaner, Greener Cherwell**

- e. Not meeting the target of reducing the CO2 emissions from Council activities by 4%.

The 4% reduction in CO2 emissions was not met as emissions remained unchanged. A number of problems have occurred in the past on measuring emissions which makes meaningful comparisons difficult. The 2008/09 data is much more robust because it was collected to a prescribed national process which was brought in for the National Indicator. The impact of the re-development of Bodicote House, vacating the Town Centre offices and the Old House on reducing CO2 emissions will be significant in 2009/10 but made little contribution in 2008/09.

#### **A Safe and Healthy Cherwell**

- f. The percentage of residents who when asked say they feel safe at home and in the community.

The Cherwell Community Safety Partnership will continue to support a wide range of measures to inform and reassure the local community about their safety. We will include a question on this issue in the 2009 Customer Satisfaction Survey.

- g. The overall numbers visiting Banbury Museum were below target, despite the continued high overall usage.

The museum has received over 60,000 visits in the first three months of 2009/10. In the same period the previous year there were 54,000 visitors, giving an increase of 12% over the year. The Education Service has also seen strong growth, with over 700 users in June, one of the Museum's best monthly figures ever.

#### **An Accessible, Value for Money Council**

- h. Collecting Council Tax and National Non Domestic Rates (both performed below target, albeit marginally, at the year end).

The collection of revenue for both Council Tax and Non Domestic Rates is above target. However it is anticipated the collection figures will be affected by the economic situation.

- i. The number of days lost through sickness per employee.

The performance in the first quarter is well within target with an average of 1.37 days sickness for each full time equivalent employee against the target of 2.01 days.

- j. Not meeting the target of 70% of residents feeling well informed about the Council.



Last years target of 70% was not achieved. We will use the 2009 Customer Satisfaction Survey to understand the reasons why and how our communications can be improved.

- k. The performance for processing of minor and other planning applications.

A significant improvement in performance has been achieved with processing targets now being met for both Minor and Other applications and the level of outstanding applications is consistent. Work is continuing to achieve further and sustainable improvements in performance through improving processes and improving the use of existing IT systems.

- 2) That the many achievements as set out below be noted:

**Cherwell: A District of Opportunity**

- 38 affordable homes have been delivered and so we are well on the way to the target of 100.
- Bicester Job Club was launched and is running successfully alongside Banbury Job Club
- The number of household in temporary accommodation is now at a record low of 51 (and only 44 families). This is down from a peak of 438 in December 2005 and down from 63 at the end of 2008/09.
- The contract for the Parsons Street Banbury improvements is due to start on 20 July.
- The Council and Charter Housing have joined together to employ a Youth & Community Worker who will work in Bretch Hill in Banbury. The project has attracted £156k of funding to support various initiatives on the estate. Also the Council and Charter Housing are supporting the provision of an outreach worker for the victims of domestic violence.
- The Keys Court affordable housing scheme in Banbury was launched on 30 June providing thirty units of rented and shared ownership housing.
- The processing of minor planning applications has moved from red to green. 78% of applications were processed within time against a target of 65%.

**A Cleaner, Greener Cherwell**

- Recycling is 55% against target of 50% for the year.
- Waste to landfill was reduced by 400 tonnes against an annual target of 1000 tonnes.
- New waste re-cycling street units installed as part of the Kidlington High St improvements. To be rolled out next in Banbury and Bicester.

**A Safe and Healthy Cherwell**

- All crime is 3% down compared to last year.
- 98 incidents were recorded on CCTV with 57 arrests made as a result.

- The modernisation of Bicester and Kidlington leisure centres was completed to time and budget.
- The number of school pupils visiting Banbury Museum was exceptional, exceeding the target by 33%.
- The Community TV project initiated which will provide screens at 14 locations delivering public information.

#### **An Accessible, Value for Money Council**

- The performance on managing staff sickness has improved significantly with an average of 1.37 days sickness for each full time equivalent employee against the target of 2.01 days.
  - The Scores on the Doors initiative, providing hygiene ratings for food premises, was launched on the website in June and received 18,807 hits.
  - Excess Charge Notice collections are significantly higher in June 2009 at £32,636 than a year earlier at £19,370. This is mainly due to the new members of staff settling into their roles and the introduction of the new enforcement policy.
  - The grass cutting schedule is now on the website.
  - Out of 369 customers questioned 97% were satisfied with the customer service they received when contacting the Council (the target is 90%).
- 3) That officers' report in the second quarter report performance report on the items below where performance did not meet the required target or there are issues of concern:

#### **Cherwell: A District of Opportunity**

- The contributions received from developers to pay for infrastructure improvements are low and may be reduced further because of the impact of the recession and the reduced number of planning applications.
- There are issues with the County Council about who will resource the introduction of residents parking schemes and civil parking enforcement and this is delaying their introduction.
- The processing of major planning applications has moved from green to red, with only 20% of applications processed within the set timescale against a target of 60%. It should be noted the contentious nature of the applications considered in this quarter is a major contributor to this.
- The Oxford Economic Partnership is amending its governance arrangements. The role of the district councils is still to be agreed and there is a risk they could lose influence.

#### **An Accessible, Value for Money Council**

- The time taken to process new benefits claims and changes of circumstances is not yet improving. This is expected to improve as the connections to homeworkers and Capita are improved and additional resources allocated.

**Reasons** - This report sets out the Council's performance in the first quarter of 2009/10 as measured through the Performance Management Framework.

Central to this is the Corporate Scorecard, which is made up of the Council's priority performance targets. The Corporate Scorecard covers seven areas of performance. These are: performance against the Local Area Agreement; the Community Plan; the Corporate Plan promises; Priority Service Indicators; Financial Performance; Human Resources; and Customer Feedback.

**Options**

<b>Option One</b>	To review current performance levels and consider any actions arising.
<b>Option Two</b>	To approve or reject the recommendations above.

35 **2009/10 Projected Revenue & Capital Out turn at 30 June 2009 and 2008/09 Treasury Management Annual Report**

The Head of Finance submitted a report summarising the Council's Revenue and Capital performance for the first 3 months of the financial year 09/10 and projections for the full 09/10 period. These are measured by the budget monitoring function and reported via the Performance Management Framework (PMF) informing the 09/10 budget process currently underway.

**Resolved**

- 1) That the projected revenue & capital position at June 2009 be noted
- 2) That the performance against the 2008/09 investment strategy and the financial returns from each of the 3 funds be noted.
- 3) That the Q1 performance against 2009/10 investment strategy be noted.

**Reasons** - To receive information on treasury management performance and compliance with treasury management policy during 2008/9 as required by the Treasury Management Code of Practice. This report also reviews the treasury performance in Q1 2009/10.

**Options**

<b>Option One</b>	To review current performance levels and consider any actions arising.
<b>Option Two</b>	To approve or reject the recommendations above or request that Officers provide additional information.

36 **Request for Funding for Temporary Accommodation from CDC Capital Receipts**

The Head of Housing submitted a report to seek approval for a number of schemes using the capital receipts ring fenced for social housing

(Homelessness Initiatives) and in line with Cherwell's Temporary Accommodation Strategy 2008-2011

### **Resolved**

That a Supplementary Capital Estimate be approved for the schemes detailed below, to be funded from earmarked Capital Receipts set-up from the sale of Temporary Accommodation premises.

- Capital funding for 365 Warwick Road, Banbury - £74,000
- An Acquisitions Scheme for temporary accommodation - £430,000 (maximum budget)
- An Acquisitions Scheme for move on accommodation for young people with high support needs –cost based on tender quotations

**Reasons** – The Temporary Accommodation Strategy will allow the Council and its Partners to focus resources and achieve continuous improvement in performance. The aim of the Strategy is to ensure that greater efficiencies are achieved through better procurement of temporary accommodation provision. To achieve the Council's objectives requires the appropriate level of Revenue and Capital Budgets. Any significant financial effects over and above that already incorporated into the Capital & Revenue Budgets will be the subject of further reports. It should be noted that there is £1.8m of Reserves (from the sale of Cotefield House and other homelessness accommodation) earmarked for Temporary Accommodation.

### **Options**

<b>Option One</b>	To fund the schemes outlined above in order to deliver the temporary accommodation
<b>Option Two</b>	Not to fund the schemes outlined above in which case consideration will need to be given to how temporary accommodation is to be procured in future in line with the temporary accommodation strategy.

The meeting ended at 7.50 pm

Chairman:

Date: